

SPECIFIC WAIVER COVER SHEET
CALIFORNIA STATE BOARD OF EDUCATION
JANUARY 2004 AGENDA
Item No. W-13

TITLE: Request by Tustin Unified School District (TUSD) to waive <i>Education Code</i> (EC) Section 56366.1(a), certification requirements for an uncertified nonpublic agency to provide Behavioral Intervention Services to a severely disabled special needs student. Supported Unique Consumer Center Education for Post Secondary Students (SUCCESS) Gallegos, The Mountain O.T.R. CDSIS: 46-4-2003	<u> X </u> ACTION <u> </u> INFORMATION <u> </u> PUBLIC HEARING <u> </u> CONSENT
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RECOMMENDATION:

The Department recommends: ☒ Approval

Summary of Previous State Board of Education Discussion and Action:

The State board of Education has taken action on many waivers regarding Nonpublic School Certification. The Special Education Division has adopted guidelines to assist staff in the review of these requests.

Summary of Key Issue(s):

- This waiver request is to enable the SELPA to place Sean E. into an education Adult Transition facility (nonpublic agency) not yet certified.
- The student, Sean E., a 22 year-old student with severe disabilities was attending a county-operated program for severely disabled students. The county was no longer able to maintain the student in their setting.
- All nonpublic schools in TUSD's area that serve severely disabled students were unwilling to take this student because of his significant behavioral issues.
- The SUCCESS program is designed to work with severely disabled students with significant behavioral issues. Staff is appropriately qualified to provide Behavior Intervention Services.
- SUCCESS has stated that they are applying for nonpublic agency certification.

Authority for the waiver: *Education Code* (EC) Section 56101

Bargaining unit(s) consulted on: N/A

Position of bargaining unit (choose only one): N/A

☐ Neutral

☐ Support

☐ Oppose

Name of bargaining unit representative: N/A

Local board approval date: SELPA approval April 24, 2003

Effective dates of request: April 22, 2003 to December 31, 2003

Fiscal Analysis (as appropriate): No known fiscal impact.

Background Information: Waiver request forms and supporting documentation are attached to this summary.